

REMARKS

Claims 1-27 are currently pending in the subject application and are presently under consideration. Claims 1, 5, 11, 14, 17, 18, 20-22, and 25-27 have been amended as shown on pages 6-10 of the Reply. In addition, the specification has been amended as indicated on pages 2-5. No new matter has been added.

Applicants' representative thanks the Examiner and Primary Examiner for the courtesies extended during the telephonic conference on October 31, 2006, with Francis Dunn. As addressed at the conference, with regard to the Examiner's objection to the drawings, as stated in the Office Action, dated September 20, 2006, the Examiner indicated to applicants' representative that the objection could be overcome by amending the specification to include proper references to reference characters in the drawings subject to the objection. In the conference, there was discussion with regard to the rejection under 35 U.S.C. § 101, wherein the Examiner indicated that the rejection may be overcome by specifying that the subject claims are implemented by a computer. Further, in the conference, there was discussion with regard to the rejections under 35 U.S.C. §§ 102 and 103, wherein the Examiner indicated that amendments to the subject claims that relate to distinctive features of the claimed subject matter, such as animation and enlargement of information within the lens component, may produce allowable subject matter.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to Drawings

The drawings stand objected to as failing to comply with 37 C.F.R. § 1.84(p)(5). Withdrawal of this objection is respectfully requested in view of amendments to the specification to correct minor informalities with regard to reference characters not provided in the description, but included in the drawings.

II. Objection to Claim 25

Claim 25 stands objected to on the grounds that there is insufficient antecedent basis for the limitation “the associated parameters.” In view of the amendment to claim 25, withdrawal of this objection is respectfully requested.

III. Rejection of Claims 1-20 and 25-27 Under 35 U.S.C. § 101

Claims 1-20 and 25-27 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. It is requested that this rejection be withdrawn for at least the following reason. The subject claims is properly directed to statutory subject matter, in accordance with 35 U.S.C. § 101.

Title 35, section 101, explains that an invention includes "any new and useful process, machine, manufacture or composition of matter."... Without question, *software code alone qualifies as an invention eligible for patenting under these categories*. *Eolas Techs., Inc. v. Microsoft Corp.*, 399 F.3d 1325, 1338-39 (Fed. Cir. 2005) (holding that 35 U.S.C. § 101 did not limit inventions or components of an invention to structural or physical components (e.g., non-software components). *Rather, every component, including software components, of every form of invention deserves the protection of § 271(f) because it is patentable subject matter under 35 U.S.C. § 101*).

For example, claim 1, as amended, recites: A *computer-implemented interface* for data presentation, comprises: a lens component associated with a portion of a user interface display, the lens component defines an area to display information from at least one search result, and the information displayed within the area defined by the lens component is animated to enlarge in size as compared to information outside of the area defined by the lens component; and a layout component that displays a detailed subset of information within the lens component based upon the search result.

As can be readily seen, amended independent claim 1 recites that the system associated with the claimed subject matter is implemented by a computer. Moreover, software code alone qualifies as an invention eligible for patenting. Therefore, the

claimed subject matter is properly limited to statutory subject matter in accordance with Section 101.

Further, the subject claims produce a “useful, concrete and tangible” result. The claimed subject matter facilitates the presentation of data. For example, the interface comprises a lens component that can animate and enlarge information related to a search result displayed within the lens component as compared to information outside of the lens component, and a layout component that can display a detailed subset of information within the lens component based upon the search result. Thus, a user can more easily ascertain information associated with the search result within the lens component, as such information can be enlarged for ease in reviewing, while also having other search results outside of the lens component minimized to fit within the interface.

In view of at least the foregoing, the subject claims are properly limited to statutory subject matter in accordance with 35 U.S.C. § 101. Therefore, it is believed that the subject claims are in condition for allowance, and withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 1-5, 10, 12, 15, 17 and 19-27 Under 35 U.S.C. § 102(b)

Claims 1-5, 10, 12, 15, 17 and 19-27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kraft, *et al.* US 2005/0086217. It is requested that this rejection be withdrawn for at least the following reasons. Kraft, *et al.* does not disclose each and every element of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. § 102 requires that “***each and every element*** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The claimed subject matter relates to automatic and dynamic presentation of search result information in accordance with an adjustable viewing lens that can balance the need to examine a plurality of search results while promoting, expanding, or

highlighting information of interest within the lens. The claimed subject matter can include a lens component that can selectively animate, magnify, and present information within the area encompassed by the lens component (“lens area”) as compared to information outside the lens area. Thus, more detailed information can be selectively presented within the lens area while providing a balanced or minimized view of other results that may remain outside the lens area. In order to show more descriptive content as desired, additional page content can be progressively exposed based on mouse activity, such as a hover or click using the mouse, for example. By integrating a fisheye or other type lens with the insertion of additional content (*e.g.*, text insertion, thumbnails of the web page, information about size of result, download speed, recency of the page), the layout of a search result list can be dynamically adapted to user interaction.

In particular, independent claim 1 (and similarly independent claims 20, 21, and 25), as amended, recites: a layout component that displays a detailed subset of information within the area defined by the lens component based upon the search result, ***the detailed subset of information is animated to enlarge in size as compared to information outside of the area defined by the lens component.*** Kraft, *et al.* does not disclose this distinctive feature of the claimed subject matter.

Rather, Kraft, *et al.* discloses methods of summarizing a search result abstract on a client computer, locating indexable words within a search result abstract retrieved from a search engine, and dynamically generating differing levels of detail in a search result abstract on a user computer. (*See* p. 1, ¶¶ [0013]-[0015]). Kraft, *et al.* discloses a “zoom” function that can be engaged to examine a search result abstract based on a “zoom” level. (*See* p. 1, ¶ [0013]). The “zoom” function can examine the search result abstract to identify indexable words (*e.g.*, key words) in a number of “search windows,” while disregarding “noise” words (*e.g.*, to, the), and the indexable words selected by the “zooming” process can then be displayed to the user, with the “noise” words filtered out. (*See* p. 3, ¶ [0028]; p. 4, ¶ [0040]). The search result abstract is thereby summarized so that only key words that may be of interest to the user are displayed. (*See* p. 1, ¶ [0013]; p. 2, ¶ [0028]; p. 4, ¶ [0040]). When the user disengages the “zoom” function, the entire search result abstract is displayed again. (*See* p. 4, ¶ [0040]).

However, unlike the claimed subject matter, Kraft, *et al.* is silent regarding animating information to enlarge the size of the information (*e.g.*, text of a search result) displayed within a lens area in an interface, so that such information appears larger in the lens area, as compared to information that appears in the interface but outside of the lens area. As can be readily seen, the “zoom” function of Kraft, *et al.* does not relate to the altering the physical size of the words in the window. (*See* p. 3, ¶ [0029]). Rather, the disclosed “zoom” function simply relates to the number of words that will be examined in a “search window” to locate an indexable word. (*See* p. 3, ¶ [0029]).

In contrast, the claimed subject matter can include a lens component that comprises a defined area in an interface and can display information, or a subset thereof. The information displayed within the lens area can be *animated to enlarge in size* as compared to information outside of the lens area, for example. Enlarging or magnifying the size of the information displayed within the lens area allows the user to more easily review the information within the lens area, while providing a de-emphasized view of other information outside of the lens area. The de-emphasis of search results outside the lens area can allow more search results to be displayed in the interface in order to minimize the need for scrolling and other actions when multiple search results are obtained from a query, for example.

In view of at least the foregoing, it is readily apparent that Kraft, *et al.* fails to disclose each and every element of the claimed subject matter as recited in independent claim 1, 20, 21, and 25 (and associated dependent claims 2-5, 10, 12, 15, 17, 19, 22-24, 26, and 27). Accordingly, it is believed that the subject claims are in condition for allowance, and the rejection should be withdrawn.

V. Rejection of Claims 6, 13, and 16 Under 35 U.S.C. § 103(a)

Claims 6, 13, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft, *et al.* (Pub. No. US 2005/0086217) in view of Wolton, *et al.* (Pub. No. US 2004/0030741). It is requested that this rejection be withdrawn for at least the following reason. Claims 6, 13, and 16 depend from independent claim 1. Wolton, *et al.* fails to cure the deficiencies of Kraft, *et al.* with respect to independent claim 1. Rather, Wolton, *et al.* relates to a tool for creating intelligent information management

applications in the form of specialized search and retrieval agents. (*See* p. 3, ¶ [0048]). Therefore, it is respectfully requested that the rejection be withdrawn.

VI. Rejection of Claims 7-9 Under 35 U.S.C. § 103(a)

Claims 7-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft, *et al.* (Pub. No. US 2005/0086217) in view of Card, *et al.* (Pub. No. US 2002/0083101). It is requested that this rejection be withdrawn for at least the following reason. Kraft, *et al.* and Card, *et al.*, alone or in combination, fail to disclose, teach, or suggest each and every element of the subject claims.

To reject claims in an application under § 103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* MPEP § 706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 7-9 depend from independent claim 1. Card, *et al.* fails to cure the deficiencies of Kraft, *et al.* with respect to independent claim 1. Rather, Card, *et al.* relates to systems and computer program products for improving the ability of users to interact with electronic documents. (*See* p. 2, ¶ [0016]). In view of at least the foregoing alone, the rejection should be withdrawn.

Further, claim 7 recites: ***the lens component is defined as a fisheye lens that is applied vertically to a display at about a focal center of the display.*** Kraft, *et al.* and Card, *et al.*, alone or in combination, fail to disclose, teach, or suggest this distinctive feature of the claimed subject matter.

The Examiner concedes that Kraft, *et al.* does not disclose the claimed subject

matter as recited in claim 7. (See Office Action, dated September 20, 2006, p. 12, ¶ 12). However, the Examiner contends that Card, *et al.* teaches a lens component that “is a fisheye lens.” (*Id.*) Applicants’ representative respectfully submits that the Examiner’s contention that Card, *et al.* teaches the claimed subject matter is erroneous.

Rather, Card, *et al.* simply discloses utilizing a fisheye lens algorithm to calculate a degree of interest of a given object. (See p. 5, ¶¶ [0079]-[0080]). Card, *et al.* further discloses that the fisheye lens algorithm contains an intrinsic degree of interest function and a distance-based degree of interest function. (See p. 5, ¶ [0080]). However, unlike the claimed subject matter, Card, *et al.* fails to disclose a fisheye lens that is ***applied vertically to a display at about a focal center of the display.***

In view of at least the foregoing, it is readily apparent that Kraft, *et al.* and Card, *et al.*, alone or in combination, fail to disclose, teach, or suggest each and every element of the claimed subject matter as recited in claim 7 (and claims 8 and 9 that depend therefrom). Accordingly, it is believed that the subject claims are in condition for allowance, and the rejection should be withdrawn.

VII. Rejection of Claims 11, 14, and 18 Under 35 U.S.C. § 103(a)

Claims 11, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft, *et al.* (Pub. No. US 2005/0086217) in view of Montague (Pub. No. US 2005/0168488). It is requested that this rejection be withdrawn for at least the following reason. Kraft, *et al.* and Montague, alone or in combination, fail to disclose, teach, or suggest each and every element of the claimed subject matter.

Claims 11, 14, and 18 depend from independent claim 1. Montague fails to cure the deficiencies of Kraft, *et al.* with respect to independent claim 1. Rather, Montague relates to methods of combining user interfaces, such as zooming in/out, panning, rotating, drawing, selecting, and manipulating during a drag by a mouse for a graphics display. (See p. 1, ¶ [0004]). In view of at least the foregoing alone, the rejection should be withdrawn.

Moreover, amended claim 18 recites: ***the dynamic information view is coordinated with an amount of information to progressively insert additional information associated with the at least one search result into the detailed subset of***

information according to an amount of time a mouse hovers over the at least one search result. Kraft, *et al.* and Montague, alone or in combination, fail to disclose this distinctive aspect of the claimed subject matter.

Rather, Kraft, *et al.* discloses using a “search window” to look for indexable words that may surround an index word in a search result abstract. (See p. 3, ¶¶ [0028]-[0029]). After an index (*e.g.*, word) is chosen, based on the “zoom” level, a number of words to the left and right of the index are examined to determine whether any of those words are indexable words. (See p. 3, ¶ [0029]). Words that are not indexable, such as “noise” words (*e.g.*, the, to, a) are filtered out. (See p. 3, ¶ [0028]; p. 4, ¶ [0040]). The “zoom” level can be increased or decreased to adjust the “maximum search window” which sets the maximum number of words to the left and right of the index that can be examined. (See p. 3, ¶ [0029]). After searching all “search windows,” a summarized version of the search result abstract containing indexable words, but filtering out “noise” words, is then displayed to the user. (See p. 4, ¶ [0040]).

However, unlike the claimed subject matter, Kraft, *et al.* fails to disclose *progressively inserting additional information* associated with a search result to be displayed along with other information already displayed in the lens area, so that the lens area can contain more detailed information, as compared to other information in the interface but outside of the lens area. In fact, Kraft, *et al.* does quite the contrary, as the “zoom” function summarizes the search result abstract to filter out (*i.e.*, remove) information, such as “noise” words, to display only key words that may be of interest to the user. (See p. 4, ¶ [0040]). Furthermore, while Kraft, *et al.* does disclose a “search window” that may change in size, the “search window” is not a window displayed in a user interface, but rather is a virtual window (*i.e.*, “windowing technique”) that relates to the number of words to the left and right of an index word that are examined to locate an indexable word in the search result abstract. (See p. 3, ¶ [0029]; p. 4, ¶ [0040]).

In contrast, the claimed subject matter can increase the amount of information displayed in the lens area *by inserting additional information* associated with the search result into the lens area. The information thereby displayed in the lens area can be more detailed than the amount of information displayed in the interface when the search result is outside of the lens area, and the amount of information displayed by other search

results outside of the lens area. As a result the user is provided with more detailed information, such as query-relevant text, as displayed in the lens area, to assist the user in finding desired information, while other search results outside of the lens area can be de-emphasized.

With regard to Montague, Montague relates to methods of combining user interfaces, such as zooming in/out, panning, rotating, drawing, selecting, and manipulating during a drag by a mouse for a graphics display. (See p. 1, ¶ [0004]). However, unlike the claimed subject matter, Montague fails to teach ***progressively inserting additional information associated with a search result into the detailed subset of information*** according to an amount of time a mouse hovers over a particular result. Rather, Montague simply teaches that during a drag of a cursor, if there is a pause within a function's region, a pop-up menu of various other functions appears, and the user can move the cursor over a desired new function and select the desired new function. (See p. 1, ¶ [[0016]). In contrast to the claimed subject matter, the functions do not provide additional information to the current function, nor are the functions associated with a search result.

In view of at least the foregoing, it is readily apparent that Kraft, *et al.* and Montague, alone or in combination, fail to disclose, teach, or suggest each and every element of the claimed subject matter as recited in claims 11, 14, and 18. Accordingly, the rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063[MSFTP607US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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